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10/695,521	10/28/2003	Hannu Mahonen	KOLS.054PA	5404

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EXAMINER	
LIM, STEVEN	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/695,521	MAHONEN ET AL.	
	Examiner	Art Unit	
	STEVEN LIM	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *2/26/2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-9,12,16-18 and 22-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-9,12,16-18 and 22-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 3-7, 9,12, 16-18, 22-26, 28-36, 38-43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littleton et al. (US 20030023759) in view of Suonpera et al. (US 20010041592) and Feague (US 6247135).

4. Regarding Claims 1, 9, 12, 16, 17, 18, 23, 32, and 39, Littleton et al. discloses a synchronization system comprising two synchronization devices (PDA and PC) and where the first synchronization device (PDA) comprises a user data unit (contact information including phone numbers and addresses, Paragraph 15), defining in the synchronization system through a database, binding data (contact record and service

features, Paragraph 15 and 22) which associates a user data identifier (phone number, Paragraph 22) identifying the user data unit with an identifier for identifying (speed dial is an identifier, Paragraph 22) at least one function of the first synchronization device (Paragraph 22), performing a synchronization step between the first synchronization device and the second synchronization device, the step comprising transferring the user data unit and the binding data from the first device to the second device (service features and phone numbers are compressed and sent to PC, Paragraphs 23 and 25), however Littleton et al. fails to disclose in response to the performance of the first synchronization step performing a second synchronization step with the second synchronization device, the step comprising transferring the binding data from the synchronization device to the second synchronization device for forming binding between the user data unit and at least one function of the second synchronization device in the second synchronization device in accordance with the binding data received during the second synchronization step, wherein the second synchronization device is a mobile communications device or a synchronization server configured to synchronize the binding data to a mobile communications device to form binding in the mobile communications device in accordance with the binding data and the synchronization device is configured to check whether the second synchronization device supports binding data synchronization, and the first synchronization device is configured to transmit the binding data to the second synchronization device in the second synchronization step in response to the fact that the second synchronization device supports binding data synchronization.

5. In an analogous art, Suonpera et al. discloses in response to the performance of the first synchronization step (synchronization starts with transferring phonebook records, Paragraph 61) performing a second synchronization step with the second synchronization device (after phonebook is read for transfer then application reads and stores the message content, profile setting , the phone and call settings for transfer, Paragraph 61) the step comprising transferring the binding data from the synchronization device to the second synchronization device for forming binding between the user data unit and at least one function of the second synchronization device in the second synchronization device (transfer of personal information includes voice tags used to implement voice dialing, Paragraph 64) in accordance with the binding data received during the second synchronization step (voice tag associated with phone book records, Paragraph 64), wherein the second synchronization device is a mobile communications device or a synchronization server (Paragraph 3) configured to synchronize the binding data to a mobile communications device to form binding in the mobile communications device in accordance with the binding data (data is transferred from phone to phone or from phone to computer to phone, Paragraph 3), which enables the user to easily change phones (Paragraph 3).

6. In an analogous art, Feague discloses the synchronization device is configured to check whether the second synchronization device supports binding data synchronization (Col. 4, Lines 1-18), which enables the governing of the synchronization process (Col. 4, Lines 1-18).

7. It would have been obvious to one having ordinary skill in the art at the time of invention was made to have a second synchronization step to transfer binding data in order to synchronize all settings of a first phone to a second phone because phones include many functions that are related to the phonebook and contact list.

8. It would have been obvious to one having ordinary skill in the art at the time of invention was made to check whether the second synchronization device supports binding data synchronization in order to govern the synchronization process and if supported to proceed with a synchronization of binding data as taught by Suonpera et al. because binding data is a capability which may not be included on all phones and therefore may not need to be synchronized.

9. Regarding Claim 3, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

10. Regarding Claim 4, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

11. Regarding Claim 5, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

12. Regarding Claim 6, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

13. Regarding Claim 7, Littleton et al. further discloses synchronizing the device data unit from the first synchronization unit to the second synchronization unit in connection with the synchronization of the user data unit (synchronization is two way between PC and PDA, Paragraph 34).

14. Regarding Claim 22, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

15. Regarding Claim 24, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

16. Regarding Claim 25, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

17. Regarding Claim 26, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

18. Regarding Claim 28, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information contained in and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

19. Regarding Claim 29, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose the synchronization device is configured to check whether the second synchronization device supports binding data synchronization, and the first synchronization device is configured to transmit the binding data to the second synchronization device in the second synchronization step in response to the fact that the second synchronization device supports binding data synchronization.

20. In an analogous art, Feague discloses the synchronization device is configured to check whether the second synchronization device supports binding data

synchronization (capabilities are checked and synchronization process is negotiated to proceed in most efficient manner, Col. 4, Lines 1-18), which enables the governing of the synchronization process (Col. 4, Lines 1-18).

21. It would have been obvious to one having ordinary skill in the art at the time of invention was made to check whether the second synchronization device supports binding data synchronization in order to govern the synchronization process and if supported to proceed with a synchronization of binding data as taught by Suonpera et al. because binding data is a capability which may not be included on all phones and therefore may not need to be synchronized.

22. Regarding Claim 30, Littleton et al. further discloses controlling the synchronization device to check if the user data units defined in the binding data have been transmitted to the second synchronization device (Fig. 3, Item 330) and controlling the synchronization device to transmit any missing user data units to the second synchronization device (Fig. 3, Item 350).

23. Regarding Claim 31, Littleton et al. further discloses the apparatus is arranged to synchronize binding data formed by another device (Fig. 3, Item 350 and 360).

24. Regarding Claim 33, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (anonymous call reject service feature) which is a data unit affecting the operation of the second synchronization device (Paragraph 20 and 22).

25. Regarding Claim 34, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

26. Regarding Claim 35, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

27. Regarding Claim 36, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

28. Regarding Claim 38, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose both the apparatus and the synchronization devices are mobile terminals.

29. In an analogous art, Suonpera et al. discloses a synchronization system where both the apparatus and the synchronization devices are mobile terminals (Paragraph 3), which enables a user to easily change phones.

30. It would have been obvious to one having ordinary skill in the art at the time of invention was made to have both units be mobile terminals in the case when a user wishes to change their phone.

31. Regarding Claim 40, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record) with a device data unit (speed dial feature) which is a data unit affecting the operation of the apparatus (PC is affected by updating of the contact record to include speed dial phone numbers which are matched to user data, Paragraph 20 and 22).

32. Regarding Claim 41, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is a speed dial number (speed dial, Paragraph 22).

33. Regarding Claim 42, Littleton et al. further discloses the user data unit is a phone number (Paragraph 15) and the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit with a device data unit, which is the identifier of a caller group (distinctive ring on a group, Paragraph 20).

34. Regarding Claim 43, Littleton et al. further discloses the binding data (contact record and service feature or data fields, Paragraph 15 and 22) associates the user data unit (information within and organized by the contact record, Paragraph 15) with a resource identifier (phone number, Paragraph 15), which is used by at least one application (address book database application, Paragraph 20).

35. Regarding Claim 45, Littleton et al. further discloses a synchronization system however Littleton et al. fails to disclose the synchronization device is a mobile terminal.

36. In an analogous art, Suonpera et al. discloses a synchronization system where both the apparatus and the synchronization devices are mobile terminals (Paragraph 3), which enables a user to easily change phones.

37. It would have been obvious to one having ordinary skill in the art at the time of invention was made to have both units be mobile terminals in the case when a user wishes to change their phone.

38. Claims 8, 27, 37, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littleton et al. (US 20030023759) in view of Suonpera et al. (US 20010041592) and Feague (US 6247135) and further in view of Hepper et al. (US 20030220966).

39. Regarding Claims 8 and 27, Littleton et al. further discloses the synchronization device is a server (Fig. 1, Item 106) and the other synchronization device is a PC (Fig. 1, Item 104) or client device PDA (Fig. 1, Item 102) and where the second synchronization device maintains a binding data table (server database, Fig. 1, Item 140) which associates the user data unit with identifier related to the device (service feature call forwarding dictates that calls received from a specific phone number will not be received and should be forwarded to another number, Paragraph 22), however Littleton et al. fails to disclose the server operating on SyncML, and the user data unit and associated device relation are associated and identified by LUIDs or GUIDs.

40. In an analogous art, Hepper et al. discloses a synchronization system using SyncML (systems which uses SyncML include clients that use SyncML, Paragraph 24)

and where each record is identified by a LUID and a LUID is associated to a Server ID or GUID (Paragraph 29), which enables each record to be uniquely identified.

41. It would have been obvious to one having ordinary skill in the art at the time of invention was made to use SyncML in order to process the synchronization data using a common protocol and to associate the user data unit and device to LUIDs in order to uniquely identify a record and who it belongs to.

42. Regarding Claim 37, Littleton et al. further discloses the synchronization device is a server (Fig. 1, Item 106), and the other synchronization device is a PC (Fig. 1, Item 104) or client device PDA (Fig. 1, Item 102) where either PC or PDA acts as server or client depending on which device has record changes (Fig. 3, Item 330-360) and where the second synchronization device maintains a binding data table (server database, Fig. 1, Item 140) which associates the user data unit with identifier related to the device (service feature call forwarding dictates that calls received from a specific phone number will not be received and should be forwarded to another number, Paragraph 22), however Littleton et al. fails to disclose the client operating on SyncML, and the user data unit and associated device relation are associated and identified by LUIDs or GUIDs.

43. In an analogous art, Hepper et al. discloses a synchronization system using SyncML (Paragraph 24) and where each record is identified by a LUID and a LUID is associated to a Server ID or GUID (Paragraph 29), which enables each record to be uniquely identified.

44. It would have been obvious to one having ordinary skill in the art at the time of invention was made to use SyncML in order to process the synchronization data using a common protocol and to associate the user data unit and device to LUIDs in order to uniquely identify a record and who it belongs to.

45. Regarding Claim 44, Littleton et al. further discloses an apparatus (server, Fig. 1, Item 106), and the synchronization device is a PC (Fig. 1, Item 104) or client device PDA (Fig. 1, Item 102) where either PC or PDA acts as server or client depending on which device has record changes (Fig. 3, Item 330-360) and where the second synchronization device maintains a binding data table (server database, Fig. 1, Item 140) which associates the user data unit with identifier related to the device (service feature call forwarding dictates that calls received from a specific phone number will not be received and should be forwarded to another number, Paragraph 22), however Littleton et al. fails to disclose the client operating on SyncML, and the user data unit and associated device relation are associated and identified by LUIDs or GUIDs.

46. In an analogous art, Hepper et al. discloses a synchronization system using SyncML (Paragraph 24) and where each record is identified by a LUID and a LUID is associated to a Server ID or GUID (Paragraph 29), which enables each record to be uniquely identified.

47. It would have been obvious to one having ordinary skill in the art at the time of invention was made to use SyncML in order to process the synchronization data using a common protocol and to associate the user data unit and device to LUIDs in order to uniquely identify a record and who it belongs to.

Response to Arguments

48. Applicant's arguments with respect to claim 1, 3-9, 12, 16-18, and 22-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Lim whose telephone number is (571) 270-1210. The examiner can normally be reached on Mon-Thurs 9:00am-4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. L./
Examiner, Art Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617